

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
PANAMSAT CORPORATION)	File No. SAT-LOA-19990518-00053
)	
Application for Authority to Launch and)	
Operate a Replacement C/Ku Hybrid Fixed)	
Satellite Service Space Station at 99° W.L.)	
)	

ORDER AND AUTHORIZATION

Adopted: April 14, 2000

Released: April 14, 2000

By the Chief, Satellite and Radiocommunication Division:

I. INTRODUCTION

1. By this Order, we grant PanAmSat Corporation authority to launch and operate the Galaxy IV-R replacement satellite at the 99° W.L. orbit location. Grant of this application will permit PanAmSat to replace the failed Galaxy IV satellite and allow a satellite that has been providing service from 99° W.L. on an interim basis to assume its regularly assigned orbit location.

II. BACKGROUND

2. PanAmSat requests authority to launch and operate the Galaxy IV-R satellite at the 99° W.L. orbit location previously assigned to the Galaxy IV satellite.¹ In May 1998, the Galaxy IV satellite suffered an in-orbit failure which led to the filing of the instant application. PanAmSat states that Galaxy IV-R is technically identical to the failed Galaxy IV satellite and will operate in both C and Ku frequency bands.² PanAmSat currently operates the Galaxy XI satellite at the 99° W.L. orbit location on an interim basis. Upon the successful launch of the Galaxy IV-R satellite, the Galaxy XI satellite will assume its regularly assigned orbit location at 91° W.L. Galaxy IV-R will provide video, audio and data services to satellite users in the contiguous 48 states, Southern Canada, Mexico, Alaska, Hawaii, and those Caribbean Islands visible from the 99° W.L. orbit location. Galaxy IV-R is currently scheduled for launch on April 18, 2000.

¹ See Hughes Communications Galaxy, Inc, 11 FCC Rcd. 16425 (1996).

² The C-band refers to the 3700-4200/5925-6425 MHz frequency bands. The Ku-band refers to the 11.7-12.2 GHz/14.0-14.5 GHz frequency bands.

III. DISCUSSION

3. We find that PanAmSat is legally, financially, technically and otherwise qualified to launch and operate the Galaxy IV-R satellite and that a grant of its application will serve the public interest.³ PanAmSat's legal qualifications are a matter of record and the Commission has on several occasions found that PanAmSat possesses the necessary legal qualifications to be a Commission licensee. With respect to financial qualifications, PanAmSat provided a balance sheet and income statements of its parent, Hughes Electronic Corporation ("HEC"), demonstrating adequate funds to finance the construction, launch, and operation for one year of Galaxy IV-R. HEC's balance sheet as of December 31, 1998 shows total current assets of \$3.8 billion which is more than adequate to cover PanAmSat's estimated cost of \$168 million to construct, launch, and operate Galaxy IV-R for one year.⁴ Further, we find that Galaxy IV-R complies with all Commission technical requirements.

4. We also find that grant of PanAmSat's application will serve the public interest. Galaxy IV-R will replace the failed Galaxy IV, thus ensuring continuity of service to PanAmSat's C- and Ku-band customers currently accessing the Galaxy XI satellite which has been temporarily operating at 99° W.L.⁵ Authorization of the Galaxy IV-R satellite will also enable PanAmSat to further implement its system plan by freeing the Galaxy XI satellite to assume its regularly assigned 91° W.L. orbital location.⁶

IV. CONCLUSION AND ORDERING CLAUSES

5. As set forth above, PanAmSat possesses the requisite legal, financial, and technical qualifications to construct, launch and operate the Galaxy IV-R satellite. We

³ See Licensing Space Stations in the Domestic Fixed-Satellite Service, 58 R.R.2d (P&F) 1267, 1272-3 (1985) (1985 Orbit Assignment Order).

⁴ An applicant relying on internal financing must submit a balance sheet documenting current assets and operating income sufficient to cover its costs. Current assets -- which include cash, inventory, and accounts receivable -- provide a general measure of a company's ability to raise funds on the basis of its on-going operations. See 47 C.F.R. § 25.114(c)(13); 1985 Orbit Assignment Order at 1272.

⁵ The Commission will generally authorize replacement satellites at the same location as the satellites they are replacing to ensure continuity of service. See AT&T Corp., 11 FCC Rcd. 15038 (1996). See also Hughes Communications Galaxy, Inc., 3 FCC Rcd. 6989 (1988).

also find that a grant of PanAmSat's application will serve the public interest by ensuring continuity of service to its customers.

6. Accordingly, IT IS ORDERED that PanAmSat's application, File No. SAT-LOA-19990518-00053 IS GRANTED and PanAmSat is authorized to launch and operate its Galaxy IV-R satellite at 99° W.L. in accordance with the terms, conditions, and technical specifications set forth in its application.

7. IT IS FURTHER ORDERED that, PanAmSat shall prepare the necessary information, as may be required, for submission to the ITU to initiate and complete the advance publication, international coordination, and notification process of this space station in accordance with the ITU Radio Regulations. We also note that no protection from interference caused by radio stations authorized by other administrations is guaranteed unless coordination procedures are timely completed or, with respect to individual administrations, by successfully completing coordination agreements. Any radio station authorization for which coordination has not been completed may be subject to additional terms and conditions as required to effect coordination of the frequency assignments of other administrations. *See* 47 C.F.R. § 25.111(b).

8. IT IS FURTHER ORDERED that PanAmSat is obliged to comply with the applicable laws, regulations, rules, and licensing procedures in every country it proposes to serve.

9. IT IS FURTHER ORDERED that the license term for the Galaxy IV-R satellite is ten years and will begin to run on the date the licensee certifies to the Commission that the satellite has been successfully placed into orbit and its operation fully conforms to the terms and conditions of this authorization.

10. PanAmSat is afforded thirty days from the date of release of this order and authorization to decline this authorization as conditioned. Failure to respond within this period will constitute formal acceptance of the authorization as conditioned.

11. This Order is issued pursuant to Section 0.261 of the Commission's rules on delegated authority, 47 C.F.R. § 0.261, and is effective upon release. Petitions for reconsideration under Section 1.106 or applications for review under Section 1.115 of the

Commission's rules, 47 C.F.R. §§ 1.106, 1.115, may be filed within 30 days of the date of the release of this order (see 47 C.F.R. § 1.4(b)(2)).

FEDERAL COMMUNICATIONS COMMISSION

Thomas S. Tycz
Chief
Satellite and Radiocommunication Division